



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Susumu NODA et al.

Group Art Unit: 2828

Application No.: 10/591,035

Examiner: S. HAGAN

Filed: August 29, 2006

Docket No.: 128698

For: SURFACE-EMITTING LASER LIGHT SOURCE USING TWO-DIMENSIONAL PHOTONIC CRYSTAL

SUPPLEMENTAL REMARKS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Further to the October 9, 2008 Amendment, please further consider the following Remarks.

Contrary to Applicants' statement in the October 9, 2008 Amendment, Applicants do not provide an English translation of the Japanese priority document at this time.

The June 9, 2008 Office Action (hereinafter "Office Action") rejects claims 1 and 3-6 under 35 U.S.C. §103(a) over U.S. Patent Application Publication No. 2003/0235229 to Deng et al. (hereinafter "Deng") in view of U.S. Patent Application Publication No. 2005/0089075 to Baba et al. (hereinafter "Baba"). This rejection is respectfully traversed.

Claim 1 recites, *inter alia*, modified refractive index areas whose refractive index differs from that of the body material are periodically arranged. This periodic arrangement causes a Bragg diffraction within the crystal, as discussed at paragraph [0003] of the specification, for example. In addition, this feature allows the light to be intensified by the